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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/056,615

01/23/2002

Keith McQuilkin Murr

17732 (MHM 13377US01)

9490

7590

06/17/2004

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EXAMINER

HARRIS, ANTON B

ART UNIT

PAPER NUMBER

2831

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/056,615

Applicant(s)

MURR ET AL.

Examiner

Anton B Harris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-17, 19-27 and 29-31 is/are rejected.
- 7) ☒ Claim(s) 18 and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claim 10 is cancelled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 12, 13, 16, 19-23, 26, and 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyazawa (5,361,492 cited by Applicant).

Regarding claim 12, Miyazawa (col. 2, line 61-col. 3, line 47) discloses an electrical component cover comprising:

an integrally formed body (col. 3, line 31) section having opposite peripheral edges (above reference lines 9 and 11), opposed end edges and a planar top surface 7 configured to form a vacuum seal with a tool (abstract), a flange 13 provided along at least one of the peripheral edge (above reference lines 9 and 11), the flange 13 preventing movement of an upper end of an electrical component 4 relative to the body section in at least one direction parallel to the top surface 7, and the integrally formed body section including a release arm 9 extending from at least one of the opposed end edges, the release arm 9 being configured to releasably retain an electrical component 4.

Regarding claims 13 and 23, Miyazawa (col. 2, line 61-col. 3, line 47) discloses a component retention member including a release arm 9 normally biased toward an electrical

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component 4 and deflectable in an opposite second direction away from an electrical component 4.

Regarding claims 16 and 26, (col. 2, line 61-col. 3, line 47) discloses a release arm 9 having a lower ledge 11 bent inward.

Regarding claims 20 and 30, (col. 2, line 61-col. 3, line 47) discloses a component retention member 9 including a release beam (near reference #11) oriented parallel to a plane containing the body section, the release beam (near reference #11) extending laterally along an end of the body section.

Regarding claims 19 and 29, Miyazawa (figure 1) discloses that the body section with opposite ends molded integral (col. 3 line 31) with end walls of the component retention member 9, the end walls extending in a direction transverse to a plane containing the top surface 7, the end walls extending laterally along the opposite ends.

Regarding claims 21 and 31, (col. 2, line 61-col. 3, line 47) discloses that the planar top surface 7 is rigid to facilitate the formation of a vacuum seal. (abstract)

Regarding claim 22, (col. 2, line 61-col. 3, line 47) discloses an electrical component cover comprising:

an integrally formed body (col. 3, line 31) section having peripheral edges (above reference lines 9 and 11) and a planar top surface 7 extending between the peripheral edges (above reference lines 9 and 11), the top surface 7 configured to form a vacuum seal with a tool (abstract), and integrally formed body (col. 3, line 31) section including a release arm 9 integrally formed (col. 3, line 31) with at least one of the at least two opposed edges of the body section, the release arm 9 configured to releasably retain an electrical component 4 and

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configured to engage an electric component 4 to hold an electric component 4 a desired distance from the body section.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1, 7-9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazawa in view of Dechelette (4,512,619).

Regarding claim 1, Miyazawa (col. 2, line 61-col. 3, line 47) discloses a cover 6 comprising:

a body section having a top surface 7 configured to form a vacuum seal with a tool (abstract); and

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a component retention member 9 connected to an end of said body section., but lacks a stamped metallic body.

Dechelette (claim 9, line 12) teaches a stamped metallic body 10.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Miyazawa by providing a stamped metallic body in order to receive an insulated wire in view of the teachings of Dechelette.

Regarding claim 7, Miyazawa (figure 1) modified as taught by Dechelette discloses a stop beam 13 extending from an end of the body section, the stop beam 13 being configured to engage an electrical component 4 to hold an electrical component 4 a desired distance from said body section, but lacks the stop beam being at an acute angle to said top surface.

It would have been an obvious matter of design choice to modify the stop beam of Miyazawa by providing a stop beam having an acute angle to the top surface, since such a modification would have involved a mere change in the size of a component's angle. A change in size is generally recognized as being within the level of ordinary skill in the art. *In re Rose*, 105 USPQ 237 (CCPA 1955).

Regarding claim 8, Miyazawa (figure 1) modified as taught by Dechelette discloses that the body section with opposite ends molded integral (col. 3 line 31) with end walls of the component retention member 9, the end walls extending in a direction transverse to a plane containing the top surface 7, the end walls extending laterally along the opposite ends.

Furthermore, the limitation of "said body section is injection molded" has been considered, but does not result in a structural difference. The presence of process limitations in

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product claims, which product does not otherwise patentably distinguish over prior art, cannot impart patentability to that product. In re Stephens, 145 USPQ 656 (CCPA 1965).

Regarding claim 9, Miyazawa (figure 1) discloses component retention member 9 including a release beam 13 oriented parallel to a plane containing the body section, the release beam 13 extending laterally along an end of the body section.

Regarding claim 11, Miyazawa (col. 2, line 61-col. 3, line 47) discloses that the top surface 7 is rigid and planar.

6. Claims 2 and 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazawa modified by Dechelette as applied to claim 1 above, and further in view of German (5,168,995).

Regarding claim 2, Miyazawa modified as taught by Dechelette discloses the invention substantially as claimed, but lacks a release arm normally biased toward an electrical component and deflectable in an opposite second direction away from an electrical component.

German (figure 4) teaches a release arm 28 normally biased toward an electrical component 40 and deflectable in an opposite second direction away from an electrical component 40.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the modified device of Miyazawa by providing a release arm normally biased toward an electrical component and deflectable in an opposite second direction away from an electrical component in order to grip an electronic package in view of the teachings of German.

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Regarding claim 4, the teachings of German (figure 4) further includes a component retention member 30 including a release arm 28 oriented at a retention angle to, and extending downward from, a top surface 32, the release arm 28 being deflectable from the retention angle to release an electrical component 40.

Regarding claim 5, Miyazawa (figure 1) discloses a release arm 9 having a lower ledge 11 bent inward.

Regarding claim 6, the teachings of German (figure 4) further includes a release arm 30 extending in a direction generally perpendicular to a body section and being normally biased to form an angle with respect to a planar top surface 32 that is no more than ninety degrees, and the release arm 30 being deflectable to form an obtuse angle with respect to the body section to release an electrical component 40.

7. Claims 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazawa modified by Dechelette as applied to claim 1 above, and further in view of Owen (4,795,354).

Regarding claim 3, Miyazawa (col. 2, line 61-col. 3, line 47) discloses a component retention member 9 including a catch surface 11 configured to be secured to the electric component 4, but lacks a catch surface configured to be secured to the bottom of electric component.

Owen (col. 2, lines 14-18) teaches a catch surface 32 configured to be secured to the bottom of electric component 26.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the modified device of Miyazawa by providing a catch surface

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configured to be secured to the bottom of electric component in order to grasp a card connector in view of the teachings of Owen.

8. Claims 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazawa in view of Owen.

Regarding claims 14 and 24, Miyazawa (col. 2, line 61-col. 3, line 47) discloses a component retention member 9 including a catch surface 11 configured to be secured to the electric component 4, but lacks a catch surface configured to be secured to the bottom of electric component.

Owen (col. 2, lines 14-18) teaches a catch surface 32 configured to be secured to the bottom of electric component 26.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Miyazawa by providing a catch surface configured to be secured to the bottom of electric component in order to grasp a card connector in view of the teachings of Owen.

9. Claims 15, 17, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazawa in view of German.

Regarding claims 15 and 25, German (figure 4) teaches that a release arm 28 is oriented at a retention angle to, and extending downward from, said planar top surface 32, said release arm 28 having a lever 30 extending upward from the planar top surface 32, the release arm 28 being deflectable from the retention angle to release an electric component 40.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the modified device of Miyazawa by providing that a release arm

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is oriented at a retention angle to, and extending downward from, said planar top surface, the release arm having a lever extending upward from the planar top surface, the release arm being deflectable from the retention angle to release an electric component in order to grip an electronic package in view of the teachings of German.

Regarding claims 17 and 27, the teachings of German (figure 4) further includes a release arm 30 extending in a direction generally perpendicular to a body section and being normally biased to form an angle with respect to a planar top surface 32 that is no more than ninety degrees, and the release arm 30 being deflectable to form an obtuse angle with respect to the body section to release an electrical component 40.

Allowable Subject Matter

10. The following is a statement of reasons for the indication of allowable subject matter:

The limitations found in claims 18 and 28 are neither disclosed nor taught by the prior art of record, alone or in combination. The current art of record does not disclose the limitations of “a stop beam extending from an end of the body section at an acute angle to the planar top surface” in combination with the other limitations recited in claims 12 and 22, respectively.

Response to Arguments

11. Applicant's arguments with respect to claim 1-9 and 11-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anton B Harris whose telephone number is (571) 272-1976. The examiner can normally be reached on weekdays from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr.

Dean Reichard, can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

abh

6/14/04


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